

HOUSE BILL No. 1171

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-25.

Synopsis: Proof of financial responsibility. Amends requirements of the bureau of motor vehicles concerning requests for evidence of financial responsibility.

Effective: July 1, 2015.

Nisly

January 12, 2015, read first time and referred to Committee on Roads and Transportation.



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1171

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-25-5-2, AS AMENDED BY P.L.125-2012,
2 SECTION 249, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) **Immediately upon receipt**
4 **of a copy of an accident report under IC 9-26, the bureau shall**
5 **identify each person named in the report as an operator of a motor**
6 **vehicle involved in the accident who has not provided evidence that**
7 **financial responsibility was in effect with respect to the motor**
8 **vehicle, or the operation of the motor vehicle, operated by the**
9 **person on the date of the accident.**
10 (b) Not more than forty-five (45) days after the bureau receives a
11 copy of an accident report under IC 9-26, the bureau shall send to each
12 person identified in the report as an operator of a motor vehicle
13 involved in the accident under subsection (a) a request for evidence
14 of financial responsibility under section 3 of this chapter unless the
15 evidence has already been filed with the bureau. The request for



evidence of financial responsibility shall be sent to each person identified in the report as an operator of a motor vehicle involved in the accident regardless of fault. **that does the following:**

(1) Informs a person of the financial responsibility requirements under this article.

(2) Directs the person to provide the bureau within forty (40) days with evidence that financial responsibility was in effect with respect to the motor vehicle, or the operation of the motor vehicle, operated by the person on the date requested.

(3) Instructs the person on how to furnish the bureau with evidence of financial responsibility in compliance with this article.

(c) The bureau shall send to a person who fails to comply with a request under subsection (b) a second request for evidence of financial responsibility that does the following:

(1) Informs a person that the bureau has not received evidence that financial responsibility was in effect with respect to the motor vehicle, or the operation of the motor vehicle, operated by the person on the date requested.

(2) Informs the person that failure to furnish evidence of financial responsibility to the bureau within forty (40) days will result in suspension of the person's current driving privileges or motor vehicle registration, or both, under this article.

(d) The bureau shall send to a person who fails to comply with a request under subsection (c) notice that the bureau has suspended the person's current driving privileges or motor vehicle registration, or both, as applicable.

(e) The bureau shall mail a request or notice under this section to a person by first class mail to the mailing address of the person appearing in the records of the bureau.

SECTION 2. IC 9-25-5-3 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 3: (a) A request for evidence of financial responsibility must do the following:

(1) Direct a person to provide the bureau with evidence that financial responsibility was in effect with respect to the motor vehicle, or the operation of the motor vehicle, operated by the person on the date requested.

(2) Instruct the person on how to furnish the bureau with evidence of financial responsibility in compliance with this article.

(3) Warn the person that failure to furnish evidence of financial responsibility to the bureau will result in suspension of the



1 person's current driving privileges or motor vehicle registration;
 2 or both, under this article.

3 (b) The bureau shall mail a request for evidence of financial
 4 responsibility to a person by first class mail to the mailing address of
 5 the person appearing in the records of the bureau.

6 SECTION 3. IC 9-25-5-5, AS AMENDED BY P.L.59-2013,
 7 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2015]: Sec. 5. (a) A person who receives a request for
 9 evidence of financial responsibility under section 3 2 of this chapter
 10 shall ensure that the insurance company of the person set forth in the
 11 certificate of compliance provides to the bureau the following
 12 information concerning the form of financial responsibility that was in
 13 effect on the date in question:

14 (1) If an operator's or a motor vehicle liability policy was in effect,
 15 the following:

16 (A) The name of the insurer.

17 (B) The identification number applying to the policy.

18 (C) Dates of coverage of the policy.

19 (D) Confirmation that financial responsibility covering the
 20 motor vehicle or operator, as applicable, was in effect on the
 21 date in question.

22 (E) Other information requested by the bureau.

23 (2) If a bond was in effect, the following:

24 (A) The name and address of the bond company or surety.

25 (B) The face amount of the bond.

26 (C) Dates the bond was in effect.

27 (D) Other information requested by the bureau.

28 (3) If self-insurance was in effect under IC 9-25-4-11, the
 29 following:

30 (A) The date on which the certificate of self-insurance was
 31 issued by the bureau.

32 (B) The name of the person to whom the certificate of
 33 self-insurance was issued.

34 (C) Other information requested by the bureau.

35 (b) A person who requests information or verification of coverage
 36 to complete a certificate of compliance under subsection (a) from:

37 (1) an insurance company; or

38 (2) an insurance producer;

39 is not required to give the company or the producer a reason for
 40 requesting the information unless the person has been involved in an
 41 accident.

42 SECTION 4. IC 9-25-9-2, AS AMENDED BY P.L.125-2012,



1 SECTION 284, IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2015]: Sec. 2. The request for evidence of
3 financial responsibility presented to a person under section 1 of this
4 chapter must do the following:

5 (1) Direct the person to ensure that the insurance company of the
6 person provide the bureau with evidence that financial
7 responsibility was in effect with respect to the motor vehicle that
8 the person was operating when the person committed the violation
9 described in the judgment or abstract.

10 (2) Instruct the person on how to furnish the bureau with evidence
11 of financial responsibility as specified in this article.

12 (3) ~~Warn~~ **Inform** the person that failure of the insurance company
13 of the person to provide evidence of financial responsibility to the
14 bureau will result in suspension of the person's current driving
15 privileges or motor vehicle registration, or both, under this article.

